

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

ALTERRA AMERICA INSURANCE CO.,

Plaintiff,

v.

NATIONAL FOOTBALL LEAGUE, et al.,

Defendants.

Index No. 652813/2012 **E**

Hon. Andrea Masley

DISCOVER PROPERTY & CASUALTY  
COMPANY, et al.,

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE, et al.,

Defendants.

Index No. 652933/2012 **E**

**AFFIRMATION OF KEVIN J. O'CONNOR**

Kevin J. O'Connor, Esquire, an attorney admitted *pro hac vice* to practice before this Court, on oath hereby affirms the following to be true and accurate:

I. I am an attorney with the law firm Hermes, Netburn, O'Connor & Spearing, P.C., counsel for Discover Property & Casualty Company, St. Paul Protective Insurance Company, Travelers Casualty & Surety Company, Travelers Property Casualty Company of America and Travelers Indemnity Company (Collectively, "Travelers"). Based on my representation of

Travelers and work in this case, the following statements are true and accurate, based upon my own personal knowledge and/or my information and belief:

1. I have been admitted *pro hac vice* to represent Travelers in these consolidated cases.
2. I submit this Affirmation in support of the Insurers' Motion Seeking Partial Review of the February 26, 2019 Memorandum and Order of Special Referee Michael Dolinger Regarding the NFL Parties' Motion to Compel Disclosure Regarding Reinsurance and Reserves ("the Motion").
3. Attached as Exhibit A is a list of Insurers joining in this Motion.
4. Attached as Exhibit B is a copy of the NFL Policyholders' Motion to Compel Disclosure and supporting papers. Exhibit B has been filed under seal pursuant to paragraph 13(c) of the Stipulation and Order for the Production and Exchange of Confidential Information entered by the Court on May 22, 2013.
5. Attached as Exhibit C is a copy of the Insurers' Memorandum of Law in Opposition to the National Football League and NFL Properties LLC's Motion to Compel Disclosure, along with supporting materials.
6. Attached as Exhibit D is a copy of the Reply Memorandum of Law in Further Support of the NFL Policyholders' Motion to Compel Disclosure, with supporting papers. Exhibit D has been filed under seal pursuant to paragraph 13(c) of the Stipulation and Order for the Production and Exchange of Confidential Information entered by the Court on May 22, 2013.
7. Attached as Exhibit E is a copy of the document reported on Westlaw as Brief of Defendant-Respondent Mercy Hospital, Anderson v. House of Good Samaritan Hosp., 2003 WL 25707980.

8. Attached as Exhibit F is a copy of the document reported on Westlaw at 2003 WL 25660444.

9. Attached as Exhibit G is a copy of the document reported on Westlaw as Brief of Defendant-Respondent Santana, Anderson v. House of Good Samaritan Hosp., 2003 WL 25660445.

10. Attached as Exhibit H is a copy of the document reported on Westlaw as Complaint in Clarendon Nat'l Ins. Co. v. Atlantic Risk Mgt., Inc., 2006 WL 8087236.

11. Attached as Exhibit I is a copy of the document reported on Westlaw as Reply Brief of Plaintiff-Respondent, Clarendon Nat'l Ins. Co. v. Atlantic Risk Mgt., Inc., 2008 WL 8162171.

12. Attached as Exhibit J is a copy of the document reported on Westlaw as Brief of Defendant-Appellant, Clarendon Nat'l Ins. Co. v. Atlantic Risk Mgt., Inc., 2008 WL 8162169.

13. Attached as Exhibit K is a copy of Co-Lead Class Counsel Christopher A. Seeger's Status Report with Updated Actuarial Analysis, with attachments In Re: National Football League Players' Concussion Injury Litigation, C.A. No. 2:12-md-02323-AB dated July 18, 2018.

14. The foregoing statements made by me are true and accurate to the best of my knowledge, information and belief.

Dated: Boston, Massachusetts

March 14, 2019

By: /s/ Kevin J. O'Connor

Kevin J. O'Connor